

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Applicants thank the Examiner for total consideration given the present application. Claims 1-32 were pending prior to the Office Action. No claims have been added and no claims canceled through this reply. Therefore, claims 1-32 are pending. Claims 1, 12, and 25 are independent. Applicants respectfully request reconsideration of the rejected claims in light of the remarks presented herein, and earnestly seeks a timely allowance of all pending claims.

OFFICIAL ACTION

Preliminary Comments

Request for Accepted Drawings

The Office Action Summary does not indicate that the drawings are accepted, Applicants respectfully ask the Examiner to indicate the acceptance of the drawings in the next Office Action.

English Translation of Makoto

The Examiner cites Makoto (JP. 2000-224673) in the alleged rejection of claims 1-32. Applicants have provided an English language translation of Makoto for the Examiner. The English language translation of Makoto was obtained from the Industrial Property Digital Library of the Japan Patent Office.

Claim Rejection - 35 U.S.C. § 101

The Examiner rejected claims 1-32 asserting that claims are not directed to statutory subject matter asserting claims are directed to “software per se” and the specification does not provide definitions for the term “means”. Applicants respectfully disagree with the Examiner. First, the MPEP does not support the Examiner’s rejection. As such, Applicants maintain that these claims recite statutory subject matter. Second, the specification defines the term “means”.

The Examiner's attention is respectfully directed to the specification for examples of such definitions, i.e. a communication station is one definition of a first communication means (page 13, lines 3-4). As such, Applicants respectfully submit that claims 1-32 are directed to statutory subject matter. However, to merely move prosecution forward, Applicants have amended these claims removing the "means for" language. Based on these amendments, it is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejection - 35 U.S.C. § 102(b)

Claims 1-32 stand rejected under 35 U.S.C. § 102(b) as being allegedly unpatentable over Makoto (JP. 2000-224673). Applicants respectfully traverse this rejection.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02*. Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Makoto fails to teach or suggest each and every claimed element.

Claim feature not taught:

Independent claims 1, 12, and 25 have been amended to include additional limitations. More specifically, claim 1 as amended recites, *inter alia*, "a control right management section that includes a control information management table that allows the control right management section to manage, in advance, a control right that is set between the communication device connected to the first communication section and the controlled devices connected to the second communication section." *Emphasis added*.

While Makoto discloses a signal comprising a right-of-priority acquisition or release (paragraphs 14-16), Makoto does not disclose a control right management section that includes a control information management table that allows the control right management section to manage, in advance, a control right that is set between the communication device connected to the first communication section and the controlled devices connected to the second

communication section as now claimed, and claims 1-32 are submitted to be allowable over Makoto for at least this reason.

Independent claims 12 and 25 are allowable for similar reasons as set forth above in reference to independent claim 1.

Dependent claims 2-11, 13-24, and 26-32 are allowable for the reasons set forth above with regards to claims 1, 12, and 25 at least based on their dependency on claims 1, 12, and 25.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-32 under 35 U.S.C. § 102(b).

Reconsideration and allowance of claims 1-32 are respectfully requested for at least these reasons.

Conclusion

Therefore, for at least these reasons, all claims are believed to be distinguishable over Makoto. It has been shown above that Makoto may not be relied upon to show at least these features. Therefore, claims 1-32 are distinguishable over Makoto.

In view of the above remarks and amendments, it is believed that claims 1-32 are allowable.

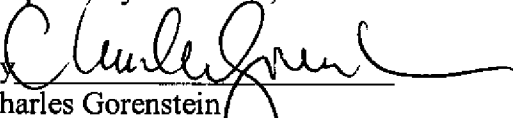
Applicants respectfully request that the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Aslan Ettehadieh Reg. No. 62,278 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

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